

OCT - 5 2022

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DIQUAN BOOKER

Plaintiff(s),

v.

SGT FLINT
OFFICER MURPHY

Defendant(s).

amended

COMPLAINT
(Pro Se Prisoner)

Case No. 9:22-cv-00600-GTS-ATB
(Assigned by Clerk's
Office upon filing)

Jury Demand

☒ Yes
☐ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore **not** contain: an individual's social security number, taxpayer identification number, or birth date; the name of a person known to be a minor; or a financial account number. A filing may include *only*: the last four digits of a social security number or taxpayer-identification number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Fed. R. Civ. P. 5.2.

I. LEGAL BASIS FOR COMPLAINT

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution and laws of the United States. Indicate below the federal basis for your claims.

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
☐ *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
☐ Other (please specify) _____

II. PLAINTIFF(S) INFORMATION

Name:

DIQUAN BOOKER

Prisoner ID #:

1641691

Place of detention:

Greene Correctional Facility

Address:

PO Box 975

Coxsackie, NY 12051

Indicate your confinement status when the alleged wrongdoing occurred:

- ☐ Pretrial detainee
☐ Civilly committed detainee
☒ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Immigration detainee

Provide any other names by which you are or have been known and any other identification numbers associated with prior periods of incarceration:

If there are additional plaintiffs, each person must provide all of the information requested in this section and must sign the complaint; additional sheets of paper may be used and attached to this complaint.

III. DEFENDANT(S) INFORMATION

Defendant No. 1:

SGT FLINT

Name (Last, First)

SGT

Job Title

72 LOCK LANE PO Box 180

Work Address

CONSTOCK

City

NEW YORK

State

12821-0180

Zip Code

Defendant No. 2:

OFFICER MURPHY

Name (Last, First)

OFFICER MURPHY

Job Title

72 LOCK LANE

Work Address

COMSTOCK

NY

12821-0180

City

State

Zip Code

Defendant No. 3:

OFFICER HOBBS

Name (Last, First)

OFFICER CORRECTION OFFICER

Job Title

72 LOCK LANE

Work Address

COMSTOCK

NY

12821-0180

City

State

Zip Code

Defendant No. 4:

Name (Last, First)

Job Title

Work Address

City

State

Zip Code

If there are additional defendants, the information requested in this section must be provided for each person; additional sheets of paper may be used and attached to this complaint.

IV. STATEMENT OF FACTS

State briefly and concisely the facts supporting your claims. Describe the events in the order they happened. Your statement of facts should include the following:

- The date(s) on which the events occurred
- Where these events took place (identify the facility and, if relevant, the specific location in the facility)

- How each defendant was involved in the conduct you are complaining about

If you were physically injured by the alleged misconduct, describe the nature of your injuries and the medical evaluation and treatment you were provided. You need not cite to case law or statutes or provide legal argument in the Statement of Facts. Use additional sheets of paper if necessary.

Dear Court I wanna start off saying my name is
 DZQUAN BOOKER I was going to law library
 on April 27, 2002 and I was choked almost
 to death by a corrupted correctional officer name
 OFFICER MURPHY My eyes was closing up on me
 and I was shaken he still would not let go of me
 he took my ~~brother~~ ^{brother} me with it yes he hit me with boot
 after he took ~~them~~ ^{them} off after that he told SGT FLINT the
 reason he choked me is because I gave the SGT at the other prison
 a phone charger the other officer gave to a bloods gang inmate
 Officer Murphy found out and tried to kill me he said if I grieve it
 it's retaliation on the 29 of April I was punch by inmate of the black
 gang after Officer Hobbs gave him a head nod yes to do it inmate said
 to ~~his friend~~ ^{his friend} told on his friend about phone charger inmate punch me in head
 Officer Hobbs did nothing to stop it he did not write it on a misbehavior report
 I called outside investigation 444 let them know everything she came see
 me I let her know everything even when Officer Murphy took my court papers and
 told me I have to suck his dick to get them back he wrote I love cock on my id
 I showed outside investigation she was surprised.

V. STATEMENT OF CLAIM(S)

State briefly and concisely the constitutional and/or statutory basis for each claim you seek to assert and identify the defendant(s) against whom each claim is

in Washington correctional facility only the correctional officers and sgt and Lt.
Yes it's a fact that officer Murphy told me to suck his dick to get my court
papers back and he wrote I love cock on my id card he ask me to perform
oral sex to get my id card back, let go. Now I told correction officer
Murphy I needed medical assistant he denied me right away I was
told I had to put in a sick call, I went to medical days later, I told them
I was choked almost death my neck is hurting at the time my neck
was swollen my head was hurting when I got punch in head by
bloods gang inmate when officer hobbs gave him a head nod to do it
I ask can I go to medical officer hobbs said no put in a sick call
these officers are corrupted they bring in knives drugs iPhones
iPhones chargers these officers are with the hit on my life
When I first got to Washington correction facility I ask
the sgt if I can go to protective custody because of the iPhone
charger situation and I did not want no problem with the bloods gang
he said no snitch you can't go to protective custody
these people are corrupted. I ask for badge number
of these officers hobbs and Murphy and sgt Flint they
did wanna give there badge number to me.

I would like \$5 billion dollars
for attemp murder retaliation
sexual harrasment failing to
protect me calling me a snitch
choking me because I gave sgt
a iPhone charger a dirty correction
officer gave to a bloods gang member
denying me medical treatment at
the time of the incident ~~me~~
telling inmate to put his hands on
me by punching me in the head
Officer hobbs sent that hit.

asserted. Commonly asserted claims include: excessive force; failure to protect; deliberate indifference to medical needs; unconstitutional conditions of confinement; denial of due process in a disciplinary or other proceeding; denial of equal protection; retaliation for the exercise of a First Amendment right; and interference with free exercise of religion. Legal argument and case citations are not required. Use additional sheets of paper if necessary.

FIRST CLAIM

Attempted murder OFFICER MURPHY choked me until
I started shaken and my eyes was closing
SGT FLINT stand there and laugh. Sexual harassment
Officer Murphy told me to suck
his dick to get my court papers back

I called
444
outside
investigation

I called
OSI
444

SECOND CLAIM

Assault OFFICER MURPHY
choked me hit me with boot had he took my
boots off. Failing to protect me by denying me protective custody
when I told him the reason why I wanted protective custody.

THIRD CLAIM

Retaliation OFFICER MURPHY told SGT FLINT
he choked me because I gave a phone charger
to the other SGT that an officer gave a bloods gang member
OFFICER MURPHY called me a rat OFFICER HOBBS had a bloods gang member

VI. RELIEF REQUESTED

State briefly what relief you are seeking in this case.

The relief and awards I am seeking for this case is
\$5 billion dollar for sexual harassment Attempt murder retaliation Assault
failing to protect me denying me protective custody when I ask
I declare under penalty of perjury that the foregoing is true and correct.

member
punch
me in
my head.

Dated: 9/31/22

Diguan Booker

Plaintiff's signature

(All plaintiffs must sign the complaint)

GREENE CORRECTIONAL FACILITY

P.O. BOX 975

COXSACKIE, NEW YORK 12051-0975

NAME:

Diguan Booker

DIN:

16A1691

NEOPOST

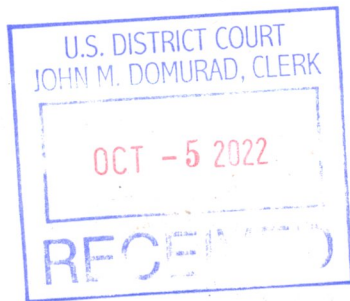
10/03/2022

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